



**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION
MDL NO. 2800**

**IN RE: EQUIFAX, INC. CUSTOMER DATA SECURITY BREACH
LITIGATION** 17CV 2368

**INTERESTED PARTY RESPONSE OF DAVID CAPLAN, PLAINTIFF IN
CAPLAN v. EQUIFAX INFORMATION SERVICES, LLC.,
No. 17-cv-4055 (E.D. Pa.),
IN SUPPORT OF MOTION TO TRANSFER TO N.D. GA.**

David Caplan is the plaintiff in the above-captioned civil action pending in the United States District Court for the Eastern District of Pennsylvania, presently assigned to Judge Timothy J. Savage. He is an “interested party” pursuant to MDL Rule 6.2(e) because his case is a potential tag-along action. This Interested Party Response is filed pursuant to MDL Rule 6.2(e).

Multiple petitions for consolidation to the Northern District of Georgia have been filed in this proceeding.¹ The *Caplan* case involves questions of fact common with the facts alleged in those petitions, is based on the same or similar federal statutes, and does not raise state causes of action. For the reasons set forth

¹ See, e.g., ECF No. 6 (*Cary* plaintiffs), ECF No. 12 (*Kuss* plaintiffs), and the *Gibson* plaintiffs’ response in support (ECF No. 11).

in the *Cary*, *Kuss* and *Gibson* petitions, incorporated herein by reference, Mr. Caplan hereby supports consolidation of these cases to the Northern District of Georgia.

Respectfully submitted:

/s/ John K. Weston

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Attorneys for David Caplan

Dated: September 15, 2017

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

MDL No. 2800 & Title - **IN RE:** In re: Equifax, Inc Customer Data Security Breach Litigation

NOTICE OF APPEARANCE

(Appearances should only be entered in compliance with Rule 4.1(c).)

PARTIES REPRESENTED (indicate plaintiff or defendant (i.e. Plaintiff Bob Jones)—If representation includes more than one party, attach a separate list.)

David Caplan (Plaintiff)

SHORT CASE CAPTION(s) (Include District and Civil Action No. (i.e. Jones v. Smith Corp., et al., D. Delaware, 1:14-586)—If party representation includes more than one case, attach a schedule of actions)
NOTE: Include only actions in which you are entering an Appearance.

CAPLAN v. EQUIFAX INFORMATION SERVICES, LLC., No. 17-cv-4055 (E.D. Pa.)

In compliance with Rule 4.1(c), R.P.J.P.M.L., 199 F.R.D. 425, 431 (2001), the following designated attorney is authorized to receive service of all pleadings, notices, orders, and other papers relating to practice before the United States Judicial Panel on Multidistrict Litigation on behalf of the plaintiff(s)/ defendant(s) indicated. I am aware that only one attorney can be designated for each party.

September 15, 2017

/s/ John K. Weston

Date

Signature of Attorney or Designee

Name and Address of Designated Attorney: John K. Weston, SACKS WESTON DIAMOND LLC,
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Instructions:

1. From the JPML home page, download Notice of Appearance. Fill out form and save in .pdf format. (All documents filed with the Judicial Panel must be in PDF Format.) The Appearance Form is to be filed as the main PDF document. Any documents submitted with the Appearance Form are attachments.
2. Select MDL from the menu bar at the top of the ECF screen.
3. Click on Notices. Select the appropriate Notice of Appearance. Select Next.
4. Enter the three or four digit MDL number (ex. 875). Select Next.
5. Verify MDL number, if correct Select Next.
6. Choose the case(s) for which the Appearance is being filed. Select Next.
7. Select Party. Select next twice.
8. Upload the Appearance Form as the Main document and all other documents as attachments. Be sure to choose a category and description. Select the document to which the Appearance relates. (Note: Appearances filed in new litigations will be linked to the initial Motion for Transfer and Appearances filed in transferred litigations should be linked to the Conditional Transfer Order (CTO).)
9. Select the next button and verify docket text. If correct continue to select next to complete the transaction.

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